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Attorney's Docket No. 21891.02700 - PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:
Ellen M. Sentovich et al.

Examiner: Not yet assigned

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For: METHOD AND SYSTEM FOR SPLIT-
COMPILING HYBRID LANGUAGE
PROGRAMS

Group Art Unit: Not yet assigned

Serial No.: 09/390,141

Filed: September 3, 1999

PETITION FOR WITHDRAWAL OF ABANDONMENT

Box OIPE
Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant hereby petitions for Withdrawal of the Notice of Abandonment dated December 3, 2001, in the above-referenced application. After repeated attempts to call the Petitions Department and the OIPE, Applicant was advised to submit this Petition directly to the OIPE since the application was never assigned to a technology group.

The subject application was filed on September 3, 1999.

On March 3, 2000, a call was made to the Patent Office to check the status of the filing receipt. The PTO advised that a Filing Receipt and Notice to File Missing Parts was mailed on September 24, 1999 to another law firm (Townsend and Townsend), despite the fact that the application was filed by Crosby, Heafey, Roach & May. The PTO indicated that it would change the address and mail out a new filing receipt and Notice to File Missing Parts.

On March 7, 2000, Applicant received a Corrected Filing Receipt dated March 6, 2000.

On March 21, 2000, Applicant received a second Corrected Filing Receipt dated March 15, 2000.

On June 1, 2000, Applicant submitted an Information Disclosure Statement and Notice of Change of Address.

On March 5, 2001, Applicant submitted a Status Inquiry. As of that date, neither the original filing receipt nor the Notice to File Missing Parts had been received.

On June 7, 2001, Applicant submitted a second Information Disclosure Statement based on an International Search Report.

On December 10, Applicant received a Notice of Abandonment dated December 3, 2001.

Please note that the only communication Applicant has received from the USPTO has been two corrected filing receipts (not an original). Furthermore, Applicant never received a notice of missing parts, or a response to Applicant's status request dated March 5 2001, either communication, which are required under current USPTO procedures, would have averted any possibility of abandonment. Enclosed are copies of the March 5, 2001 status check post card, and a printout from our docketing program (PATTSY) is provided to show the chronology of this matter.

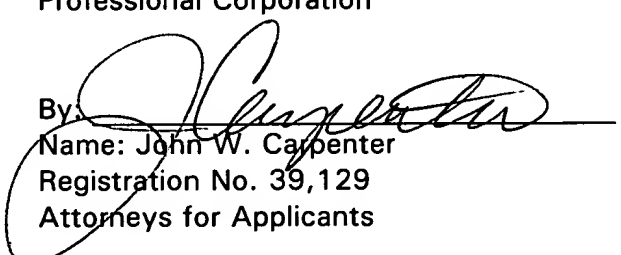
Applicant believes it has acted in good faith to follow procedures to prosecute this application based on the steps outlined above, and that abandonment in this case is due to USPTO error. Therefore, Applicant respectfully requests that the Notice of Abandonment in this application be withdrawn and a Notice to File Missing Parts be provided to Applicant at this time.

The Commissioner is hereby authorized to charge any fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or § 1.17 to Account No. 03-3821, referencing Attorney Docket No. 21891.02700. A duplicate sheet is attached.

Respectfully submitted,

Crosby, Heafey, Roach & May
Professional Corporation

Dated: March 27, 2002

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